

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

85

May 20, 2003

FROM: GERRY NEWCOMBE, Deputy Administrative Officer
County Administrative Office

DAVID H. SLAUGHTER, Director
Real Estate Services Department

SUBJECT: COURT RELOCATION SPACE REQUEST FOR PROPOSALS

RECOMMENDATION: Receive report on the County's Request for Proposals (RFP) to provide relocation space for Court functions during the seismic retrofit of the Central Courthouse and the Court's long-term lease requirements, and direct staff to negotiate with the top two proposers.

BACKGROUND INFORMATION: The seismic retrofit and remodeling of the central courthouse (including the 1926 historic building and the T-wing annex) requires that a portion of court activities be relocated into alternate space during construction. As staff began to develop the RFP to solicit proposals in downtown San Bernardino to meet these construction relocation space needs in early 2002, the Court requested the County's assistance to find a long-term lease for space to house small claims and traffic courts as well as a portion of the Court Executive Office. These two space needs were incorporated into one RFP that was authorized for release by the Board on February 12, 2002. Concern over procedural issues related to a late response to that RFP resulted in the Board rejecting all proposals and re-authorizing the release of the RFP on June 18, 2002.

The number one-rated proposal submitted in response to the June 18, 2002 RFP, as determined by the selection committee, was the old state office building located at 303 W. Third Street (303). The number two-rated proposal was for the Ticor building at 340 West Fourth Street (Ticor). After the selection committee's determination, staff began negotiating with the agent for the 303 owners but was unable to reach agreement on lease terms that met either the seismic retrofit budget requirements or the Court's long-term lease budget limitations. The terms presented by the Ticor owner fit the budget and lease duration requirements for the retrofit project, but the building is too small to house both the retrofit relocation needs and the Court's long-term space needs.

In order to explore all possible options for providing this necessary space, staff then prepared a new RFP requesting proposals to allow the County to lease, purchase or lease purchase a building sufficient to meet the needs of the retrofit project and the Court. The Board approved release of that RFP on January 14, 2003 and three proposals were received by the February 19, 2003, deadline. The two most viable proposals received were from 303 and Ticor/Lonergan (the

Page 1 of 2

Record of Action of the Board of Supervisors

85

**BOARD OF SUPERVISORS
COURT RELOCATION SPACE**

May 20, 2003
Page 2 of 2

85

Ticor owner added the building he owns at 398 W. Fourth Street to this proposal response in order to provide space to accommodate both the short and long term Court needs identified by the County). The third proposal was the former Bankruptcy Court located at 699 N. Arrowhead Avenue. This building was eliminated from consideration because it has only 39,445 square feet which is not sufficient to accommodate the total needs of the Court.

Staff is requesting approval to enter into negotiations with the owners of both the 303 and Ticor/Lonergan buildings in order to achieve a result that best suits the County and the Court's needs and budget. Staff's negotiators will schedule a meeting with the Board in closed session regarding the price and terms for the potential purchase and/or lease of the properties.

REVIEW BY OTHERS: This item has been reviewed by County Counsel (Rex Hinesley, Chief Deputy County Counsel) on May 12, 2003, and the Administrative Office (Dan Kopp, Administrative Analyst) on May 12, 2003.

FINANCIAL IMPACT: There is no cost associated with approval of this item.

COST REDUCTION REVIEW: The County Administrative Office has reviewed this proposed action and concurs that it is necessary and appropriate.

SUPERVISORIAL DISTRICT(S): Fifth

PRESENTER: Gerry Newcombe, Deputy Administrative Officer, 387-9046
Dave Slaughter, Director, Real Estate Services, 387-7837

85